

**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION
USING AN APPLICATION DATA SHEET (37 CFR 1.76)**

As the below named inventors, we declare that:

This declaration is directed to:

- ☐ The attached application, or
- ☒ Application No. 10/660,738, filed on September 12, 2003,
- ☐ as amended on _____ (if applicable);

We believe that we are the original and first inventors of the subject matter which is claimed and for which a patent is sought;

We have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

We acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application, if applicable; and

All statements made herein of our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTORSInventor one Egisto BOSCHETTI Date: January 14, 2004Signature:  Citizen of: FranceInventor two Pierre GIROT Date: January , 2004Signature: _____ Citizen of: FranceInventor three Pil-Je Um Date: January 22, 2004Signature:  Citizen of: Korea

Inventor four _____ Date: _____

Signature: _____ Citizen of: _____

☐ Additional inventors are being named on _____ additional form(s) attached hereto.

Burden Hour Statement: This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is used by the public to file (and the PTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 1 minute to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

SF 1244714 v1

**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION
USING AN APPLICATION DATA SHEET (37 CFR 1.76)**

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This declaration is directed to:

- ☐ The attached application, or
- ☒ Application No. 10/660,738, filed on September 12, 2003,
- ☐ as amended on _____ (if applicable);

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FULL NAME OF INVENTORSInventor one Egisto BOSCHETTI Date: January, 2004Signature: _____ Citizen of: FranceInventor two Pierre GIROT Date: January 26, 2004Signature:  Citizen of: FranceInventor three Pil-Je Um Date: January, 2004Signature: _____ Citizen of: Korea

Inventor four _____ Date: _____

Signature: _____ Citizen of: _____

☐ Additional inventors are being named on _____ additional form(s) attached hereto.

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SF 1244714 v1

Please type a plus sign (+) inside this box → +

PTO/SB/81 (02-01)

Approved for use through 10/31/2002. OMB 0651-0035

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**POWER OF ATTORNEY OR
AUTHORIZATION OF AGENT**

Application Number	10/660,738
Filing Date	September 12, 2003
First Named Inventor	Egisto BOSCHETTI
Title	PREPARATION AND USE OF MIXED MODE SOLID SUBSTRATES FOR CHROMATOGRAPHY ADSORBENTS AND BIOCHIP ARRAYS
Group Art Unit	Not Yet Assigned
Examiner Name	Not Yet Assigned
Attorney Docket Number	035394-0245

I hereby appoint:

☒ Practitioners at Customer Number
AND

22428

☒ Practitioner(s) named below:

Name	Registration Number
John Storella	32,944

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

☒ The above-mentioned Customer Number, Attn: Stephen A. Bent.

OR

☐ Practitioners at Customer Number

☐ Firm or
Individual Name

Address

Address

City

State

ZIP

Country

Telephone

202-672-5404

Fax

202-672-5399

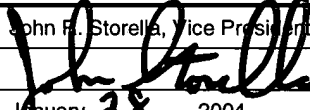
I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

SIGNATURE of Applicant or Assignee of Record

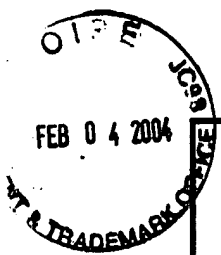
Name	John R. Storella, Vice President for Intellectual Property
Signature	
Date	January 28, 2004

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☐ *Total of _____ form is submitted.

Burden Hour Statement: This form is estimated to take 3 minutes to complete. Time will vary depending upon the needs of the individual case. Any Comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

WC 9033141 v1



STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Egisto Boschetti, Pierre Girot, and Pil-Je Um

Application No./Patent No.: 10/660,738

Filed/Issue Date: September 12, 2003

Entitled: Preparation and Use of Mixed Mode Solid Substrates for Chromatography Adsorbents and Biochip Arrays

Ciphergen Biosystems, Inc., a corporation of the State of Delaware

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by, percentage) of its ownership interest is _____%

in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventors of the patent application/patent identified above.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To : _____
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To : _____
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____ To : _____
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.8]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

January 28, 2004
Date

John P. Storella
Typed or printed name
[Signature]
Signature
Vice President for Intellectual Property
Title

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

ASSIGNMENT OF PATENT APPLICATION

JOINT

WHEREAS, **EGISTO BOSCHETTI**, of 11, rue de la Côte à Bélier, 78290 Croissy sur Seine, France, **PIERRE GIROT**, of 7, rue de Terrage, 75010 Paris, France, and **PIL-JE UM**, of 335 Whispering Oaks Court, Pittsburg, CA 94565, hereinafter referred to as "Assignors," are the inventors of the invention described and set forth in the below-identified application for United States Letters Patent:

Title of Invention: **PREPARATION AND USE OF MIXED MODE SOLID
SUBSTRATES FOR CHROMATOGRAPHY
ADSORBENTS AND BIOCHIP ARRAYS**

Dates of execution of Declaration: January 14, 2004; January 26, 2004; and
January 22, 2004, respectively

Filing Date: September 12, 2003

Application No.: 10/660,738

WHEREAS, CIPHERGEN BIOSYSTEMS, INC., a corporation of United States, located at 6611 Dumbarton Circle, Fremont, CA, 94555, hereinafter referred to as "ASSIGNEE," is desirous of acquiring an interest in the invention and application and in any U.S. Letters Patent and Registrations which may be granted on the same;

For good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have assigned, and by these presents do assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignors had this Assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignors further agree that they will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including patent applications and instruments of transfer, and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

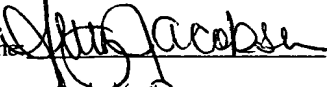
IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.

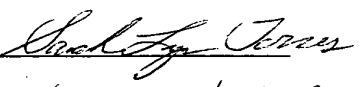
Dated: January 14, 2004



EGISTO BOSCHETTI

WITNESSED BY:

Name: 
Address: 6611 Dumbarton Circle
Fremont, CA 94555
Date: 1/14/04

Name: 
Address: 6611 Dumbarton Circle
Fremont, CA 94555
Date: Jan. 14, 2004

Dated: _____

PIERRE GIROT

WITNESSED BY:

Name: _____
Address: _____

Date: _____

Name: _____
Address: _____

Date: _____

IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.

Dated: _____

EGISTO BOSCHETTI

WITNESSED BY:

Name: _____

Name: _____

Address: _____

Address: _____

Date: _____

Date: _____

Dated: 26 / 01 / 04



PIERRE GIROT

WITNESSED BY:

Name: FLAYEUX

Name: GIROT

Address: 8, rue de la

Address: 7, Rue du

Gerbe d'Or - 95490 VAUREAL

Terrage - 75010 - PARIS

Date: 26. 01. 04

Date: 26 / 01 / 04

Dated: Jan. 22. 2004



PIL-JE UM

WITNESSED BY:

Name: Tiffany Perry

Address: 6611 Dumbarton Circle
Fremont CA 94555

Date: 1/22/04

Name: Sarah Lyn Torres

Address: 6611 Dumbarton Circle
Fremont, CA, 94555

Date: Jan. 22, 2004